

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALAINE KAY, et al.,

Plaintiffs,

v.

**Case No.: 2:10-CV-433
JUDGE SMITH
MAGISTRATE JUDGE KING**

JESSICA COVERT, et al.,

Defendants.

ORDER

On October 1, 2010, the United States Magistrate Judge issued an *Order and Report and Recommendation* denying defendants' motion to consolidate and recommending that plaintiffs' motion to remand be granted. *Order and Report and Recommendation*, Doc. No. 17. Although the parties were advised of their right to object to the recommendation and of the consequences of their failure to do so, *id.*, there has nevertheless been no objection.

The *Report and Recommendation* is hereby **ADOPTED AND AFFIRMED**. Plaintiffs' motion to remand, Doc. No. 11, is **GRANTED**. This action is hereby ordered **REMANDED** to the Court of Common Pleas for Perry County, Ohio.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT